

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 289

September 12, 1996, 4:34 pm
Page S-10380 Temp. Record

TREASURY APPROPRIATIONS/Gun Ban & Domestic Violence

SUBJECT: Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1997 . . . H.R. 3756.
Lautenberg amendment No. 5241.

ACTION: AMENDMENT AGREED TO, 97-2

SYNOPSIS: As reported, H.R. 3756, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1997, will provide \$23.5 billion in new budget authority (BA) for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies. This amount is \$324 million more than the amount provided in FY 1996, \$175 million more than the amount provided in the House-passed bill, and \$1.36 billion less than requested by President Clinton.

The Lautenberg amendment would permanently ban the possession of a firearm by any person who was ever convicted in any jurisdiction of a felony or misdemeanor crime of domestic violence.

Those favoring the amendment contended:

Under current Federal law people who have been convicted of felonies may not possess firearms. However, people who engage in serious spousal or child abuse often are not ultimately charged or convicted as felons. Their crimes are not taken seriously. In fact, most people, usually men, who are guilty of domestic violence are not even charged. In over 30 States beating one's wife or child is just a misdemeanor offense. Just a few years ago in Baltimore County, Maryland, a State circuit court judge sentenced a man to a light sentence of weekends in jail for shooting his wife in the head and killing her. When he gave the sentence, he apologized, saying that the worst part of his job was "sentencing noncriminals as criminals." That attitude, as horrible as it is, is common. Domestic violence frequently escalates in severity, ultimately resulting in murder. In two-thirds of the cases that result in murder, a firearm is used. Those individuals have access to those firearms because their early crimes of domestic violence were treated as misdemeanors. To address this loophole, and thus get the guns out of the hands of these abusers before it is too late, the Lautenberg

(See other side)

YEAS (97)				NAYS (2)		NOT VOTING (1)	
Republican (52 or 100%)		Democrats (45 or 96%)		Republicans (0 or 0%)	Democrats (2 or 4%)	Republicans (1)	Democrats (0)
Abraham	Hutchison	Akaka	Johnston		Bingaman	Hatfield- ^{2AY}	
Ashcroft	Inhofe	Baucus	Kennedy		Heflin		
Bennett	Jeffords	Biden	Kerrey				
Bond	Kassebaum	Boxer	Kerry				
Brown	Kempthorne	Bradley	Kohl				
Burns	Kyl	Breaux	Lautenberg				
Campbell	Lott	Bryan	Leahy				
Chafee	Lugar	Bumpers	Levin				
Coats	Mack	Byrd	Lieberman				
Cochran	McCain	Conrad	Mikulski				
Cohen	McConnell	Daschle	Moseley-Braun				
Coverdell	Murkowski	Dodd	Moynihan				
Craig	Nickles	Dorgan	Murray				
D'Amato	Pressler	Exon	Nunn				
DeWine	Roth	Feingold	Pell				
Domenici	Santorum	Feinstein	Pryor				
Faircloth	Shelby	Ford	Reid				
Frahm	Simpson	Glenn	Robb				
Frist	Smith	Graham	Rockefeller				
Gorton	Snowe	Harkin	Sarbanes				
Gramm	Specter	Hollings	Simon				
Grams	Stevens	Inouye	Wellstone				
Grassley	Thomas		Wyden				
Gregg	Thompson						
Hatch	Thurmond						
Helms	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

amendment would eliminate the right to possess a firearm for anyone convicted of a crime of domestic violence, whether a felony or a misdemeanor conviction. This is an extreme response to an extreme problem. We urge Senators to give it their full support.

No arguments were expressed in opposition to the amendment.